

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 MARSHA BYRD,

4 Plaintiff

5 v.

6 AMANDA LAUB,

7 Defendant

Case No.: 2:23-cv-01173-APG-DJA

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 4]

8 On January 8, 2024, Magistrate Judge Albregts recommended that I dismiss this case
9 because plaintiff Marsha Byrd has not filed a complaint, paid the filing fee, or submitted a
10 complete application to proceed *in forma pauperis* by the deadline he gave her. ECF No. 4. Byrd
11 did not object. Thus, I am not obligated to conduct a de novo review of the report and
12 recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo
13 determination of those portions of the report or specified proposed findings to which objection is
14 made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the
15 district judge must review the magistrate judge’s findings and recommendations de novo *if*
16 *objection is made*, but not otherwise” (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Albregts’ report and recommendation
18 (ECF No. 4) is accepted and this case is dismissed without prejudice. The clerk of court is
19 instructed to close this case.

20 DATED this 26th day of January, 2024.

21 

22 ANDREW P. GORDON
23 UNITED STATES DISTRICT JUDGE